

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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HENG REN PARTNERS, LLC,

Plaintiff,

v.

ORDER

DAVID HALESWORTH,

23-CV-02588 (PMH)

Defendant.

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PHILIP M. HALPERN, United States District Judge:

Heng Ren Partners, LLC (“Plaintiff”) commenced this action on March 27, 2023 against David Halesworth (“Defendant”). (Doc. 1, “Compl.”). Plaintiff asserts that “[t]his Court has original jurisdiction of this civil action pursuant to 28 U.S.C. § 1332(a) (diversity) because Plaintiff and Defendant are citizens of different States and the amount in controversy exceeds the sum or value of \$75,000.” (*Id.* ¶ 3).

However, Plaintiff Heng Ren Partners, LLC is a limited liability company, and “[w]ith the exception of corporations, the citizenship of business entities is derived from the citizenship of all members of the entity.” *Carden v. Arkoma Assocs.*, 494 U.S. 185, 189 (1990); *ICON MW, LLC v. Hofmeister*, 950 F. Supp. 2d 544, 546 (S.D.N.Y. 2013) (“[L]imited liability companies . . . obtain citizenship from each of their members.”). According to Plaintiff, “Heng Ren Partners, LLC is a limited liability company organized and existing under the laws of the Commonwealth of Massachusetts, with a principal place of business at One Boston Place, Suite 2600, Boston, MA 02108.” (Compl. ¶ 1). Plaintiff, however, has not plead the citizenship of any of the LLC’s members. The Court is thus unable to determine whether the citizenships of all of Plaintiff Heng Ren Partners, LLC’s members are diverse from Defendant as of the date of filing. The Court, therefore, is unable to conclude that diversity jurisdiction exists under § 1332(a). Accordingly, by

5:00 p.m. on April 4, 2023, Plaintiff shall file a letter via ECF establishing that diversity of citizenship exists between each of its members and Defendant and support any factual statements about its membership with an affidavit from a person with personal knowledge of such.

SO-ORDERED:

Dated: White Plains, New York
March 28, 2023

A handwritten signature in black ink, appearing to read 'PHM', is written above a horizontal line.

Philip M. Halpern
United States District Judge